

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO. 10-33
v.	*	SECTION: "I"
ELIZABETH L. HOLIDAY	*	
	* * *	

FACTUAL BASIS

If this case were to proceed to trial, the United States would prove beyond a reasonable doubt, through credible testimony and reliable evidence, the following facts:

Hurricane Katrina made landfall in Louisiana on August 29, 2005, and caused widespread damage to the Gulf Coast region of Louisiana, including the New Orleans, Louisiana area. In response to the devastation, several federally funded programs were established to assist individuals who wanted to return to their homes to rebuild them, or who needed help with basic needs like rental assistance and money to compensate them from personal property loss and/or damage to their residences.

The State of Louisiana Received Funds Belonging to the United States in Order to Implement and Administer the Louisiana Road Home Program

In response to the crisis Hurricane Katrina created in southeastern Louisiana, the Congress of the United States of America, with the approval of the President of the United States, passed legislation appropriating funds to the United States Department of Housing and Urban Development

(“HUD”) for a Community Development Block Grant (“CDBG”). The CDBG was designed to assist Hurricane Katrina victims who were owners and occupants of property damaged or destroyed by Hurricane Katrina with rebuilding or selling their damaged residences.

The grant money was disbursed under a program known as the Louisiana Road Home Program (“the Road Home Program”). HUD prepared the rules and regulations governing the disbursement of grant money to the State of Louisiana for use in the Road Home Program. The State of Louisiana, through the Office of Community Development (OCD), Division of Administration, contracted with ICF International, Inc. to administer grant awards to homeowners under the Louisiana Road Home Program.

One of the major requirements for receiving grant money from the Louisiana Road Home Program was that the damaged property was the primary residence of the applicant on August 29, 2005. This meant that the individual applying for assistance had to have owned and occupied the residence at the time of the storm. Applicants who owned but did not live in the damaged residence at the time of the storm because they rented the property would not have qualified for the grant.

**The Federal Emergency Management Agency Disbursed Funds
Belonging to the United States as Part of its Hurricane Katrina Assistance Program**

After Hurricane Katrina devastated the City of New Orleans, the Federal Emergency Management Agency (“FEMA”), an agency or department of the United States, immediately provided disaster assistance to individuals affected by the storm, including emergency assistance funding. These funds were appropriated to FEMA as a result of legislation passed by the Congress of the United States of America with the approval of the President of the United States.

FEMA provided several types of assistance, including the following: (1) temporary housing assistance, which provided funds to individuals who needed to rent an alternative place to live; (2)

repair money for homeowners to fix damage from the disaster that was not covered by insurance; (3) replacement money which allowed homeowners to replace a home which was destroyed in the disaster and not covered by insurance; and (4) money for necessary expenses and serious needs caused by the disaster such as medical, dental, funeral, personal property, transportation, moving and storage expenses.

As part of its application process, FEMA required the applicant to represent that their residence had been damaged by Hurricane Katrina and that they lived at the damaged property at the time of the storm.

The defendant did not live at 4927 Pecan Street on August 29, 2005

From on or about June 22, 2004 through August 29, 2005, the defendant, **ELIZABETH L. HOLIDAY**, lived with her mother at 9324 Pritchard Place, New Orleans, 70118, located in the Eastern District of Louisiana.

From on or about September 1992 through February of 2009, the defendant, **ELIZABETH L. HOLIDAY**, owned a residence located at 4927 Pecan Street, New Orleans, Louisiana 70126, in the Eastern District of Louisiana, which she did not occupy, but used as a rental property from on or about June 22, 2004 through August 29, 2005.

From on or about June 22, 2004 through August 29, 2005, the residence located at 4927 Pecan Street, New Orleans, Louisiana 70126 was not the primary residence of **ELIZABETH L. HOLIDAY**.

Defendant Committed Theft of Road Home Funds in the Amount of \$54,566.88

On or about October 24, 2006, the defendant, **ELIZABETH L. HOLIDAY**, applied for Road Home Program funds, declaring in the application that on August 29, 2005 her primary

residence was 4927 Pecan Street, New Orleans, Louisiana 70126.

On or about May 3, 2007, in the Eastern District of Louisiana, the defendant, **ELIZABETH L. HOLIDAY**, attended and completed her closing to obtain Road Home Program funds. As part of the closing, the defendant, **ELIZABETH L. HOLIDAY**, submitted a completed, signed Road Home Grant Recipient Affidavit stating that her primary residence on the date of Hurricane Katrina was 4927 Pecan Street, New Orleans, Louisiana 70126.

As a result of her false and fraudulent representations, on or about May 14, 2007, the defendant, **ELIZABETH L. HOLIDAY**, received federal funds from the Department of Housing and Urban Development, disbursed under the Road Home Program in the amount of \$54,566.88.

Defendant Committed Theft of FEMA Funds in the Amount of \$21,382.35

On or around September 2, 2005, the defendant, **ELIZABETH L. HOLIDAY**, submitted an application to FEMA for expedited housing assistance, and falsely indicated that she lived at 4927 Pecan Street, New Orleans, Louisiana 70126 at the time of the Hurricane Katrina.

As a result of the defendant's representation on her application dated September 2, 2005, that she lived at 4927 Pecan Street, New Orleans, Louisiana 70126 at the time of Hurricane Katrina, FEMA made the following distribution of emergency assistance grants:

#	Date	Amount	Type of Assistance
1	9/9/05	\$2,000	expedited housing
2	9/24/05	\$2,358	rental assistance
3	3/3/06	\$2,550	rental assistance
4	4/19/06	\$11,730	personal property
5	6/12/06	\$2,744	rental assistance
Total	\$21,382.35		

In total, the defendant, **ELIZABETH L. HOLIDAY**, received \$21,382.35 in expedited housing, rental, and personal property assistance.

In February of 2009, **ELIZABETH L. HOLIDAY** admitted to federal agents that she was aware of the Road Home Program eligibility requirements at the time she applied for assistance from the Road Home Program and knew that 4927 Pecan Street was not her primary address at the time of the storm. **ELIZABETH L. HOLIDAY** also informed investigators that she falsely claimed to be occupying 4927 Pecan Street at the time of the storm when she completed her application for FEMA assistance in September of 2005.

In summary, all of the evidence introduced at trial would establish the elements of the offense and prove the defendant's guilt beyond a reasonable doubt.

READ AND APPROVED:

ELIZABETH L. HOLIDAY (Date)
Defendant

VALERIE JUSSELIN (Date)
Counsel for Defendant

SHARAN E. LIEBERMAN (Date)
Assistant U.S. Attorney